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C O N F I D E N T I A L SECTION 01 OF 02 TASHKENT 000296

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TAGS: PHUM PGOV UZ

SUBJECT: UMIDA NIYAZOVA AND UZBEKISTAN'S WAR ON HUMAN  
RIGHTS WATCH

REF: A. TASHKENT 213 (NOTAL)

- 1B. 06 TASHKENT 666 (NOTAL)  
1C. 06 TASHKENT 1320 (NOTAL)

Classified By: AMB. JON R. PURNELL, FOR REASONS 1.4 (B, D)

11. (C) Summary: The Uzbek government's noose is slowly tightening around Human Rights Watch. Authorities arrested the organization's local translator, Umida Niyazova, on charges of illegal border crossing and smuggling, and have reportedly questioned her about the human rights activities of the U.S., British, and Swiss Embassies. Office Director Andrea Berg reported that the safes in her office appear to have been tampered with. Government-controlled websites have attacked the organization as a tool of the United States in its efforts to interfere in other countries' internal affairs. An Embassy contact with ties to the Presidential Apparatus has told us that President Karimov has personally targeted the organization for expulsion. These latest developments, combined with earlier accusations of criminal activity against Human Rights Watch, give the clear impression that the organization's days in Uzbekistan are numbered. End summary.

UZBEKISTAN VERSUS UMIDA NIYAZOVA

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12. (C) On January 22, Uzbek authorities arrested Umida Niyazova, a local contract translator for Human Rights Watch, in Andijon Province as she crossed the border from Kyrgyzstan. Niyazova was also affiliated with the recently founded human rights organization Veritas, and had written news articles on human rights issues for internet publications under a pseudonym. Niyazova is currently in custody in Tashkent awaiting trial, and has reportedly had access to a defense attorney. The Transportation Division of the General Prosecutor's Office informed Human Rights Watch that she is under investigation on charges of illegal border crossing and smuggling.

13. (C) Niyazova was detained once before, for several hours on December 21, 2006, by Tashkent airport customs officers after she arrived on a flight from Bishkek. The officers confiscated a laptop computer and miniature data storage device, reportedly telling Niyazova that they suspected she was carrying "material of an anti-constitutional nature."

Following that incident, according to sources familiar with the case, Niyazova returned to Bishkek and filed for refugee status with the UN High Commissioner for Refugees. Her lawyer then reportedly contacted Niyazova in late January and informed her that Uzbek authorities had decided not to file charges against her and that she could retrieve her computer from investigators in Tashkent. It was during her return trip on January 22 that authorities arrested her. There were reports that when she crossed the border into Uzbekistan, she was carrying Human Rights Watch publications, including the organization's report on the 2005 Andijon violence, "Bullets Were Falling Like Rain."

¶4. (C) Foreign diplomatic missions have seized on Niyazova's case as an example of politically-motivated prosecution. The Embassy raised the case with First Deputy Foreign Minister Nematov on February 6 (ref A), and the German Embassy reportedly raised it with the Minister of Justice on behalf of the European Union on February 2. The Swiss delegation at the Organization for Security and Cooperation in Europe (OSCE) raised Niyazova's case at a February 15 meeting of the OSCE Permanent Council in Vienna on behalf of "like-minded countries" Canada, Iceland, Liechtenstein, and Norway. To date, Uzbekistan's only response has been to insist that the case is being handled in accordance with Uzbek law.

¶5. (C) Human Rights Watch office director Andrea Berg told Poloff that the scope of the investigation extends far beyond the formal charges of smuggling and illegal border crossing. Berg reported that her office accountant and driver have been called in for questioning. In a recent meeting with her lawyer, Niyazova reportedly said that investigators have questioned her extensively about grant programs by foreign missions, including the Embassy's Democracy Commission

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program, a similar program operated by the British Embassy, and a legal support fund operated by the Swiss Embassy. At the same time, Berg expressed concern at certain details of Niyazova's case. She said that she was unaware that Niyazova owned a laptop computer, and that Niyazova had no purpose related to Human Rights Watch that would have required her to carry copies of the organization's reports across international borders.

UZBEKISTAN VERSUS HUMAN RIGHTS WATCH

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¶6. (C) Niyazova's prosecution is part of a series of provocative actions by Uzbek authorities against Human Rights Watch. In April 2006, the opposition Birlik Party's website quoted a Ministry of Justice source as saying that the Ministry was investigating Human Rights Watch with a view toward filing suit to have its programs "restructured" (ref B). The same month, the Ministry audited Human Rights Watch in a process similar to that carried out with all other foreign nongovernmental organizations. In its audit report released in July, the Ministry accused Human Rights Watch of violating Uzbekistan's law on mass media by distributing reports and public statements containing "baseless and tendentious" information without documentary evidence (ref C).

¶7. (U) Government-controlled news website Press-uz.info has posted several articles on Human Rights Watch. For several days in January and February, the site's home page displayed a scrolling ticker with the statement: "The basic objective of Human Rights Watch is to contribute through information and propaganda to the United States policy of interference in the internal affairs of other countries, according to an Uzbek expert." On February 7, Press-uz.info published an article listing Human Rights Watch among several foreign organizations that were allegedly late in submitting required activity reports to the Ministry of Justice, and warned it would face unspecified "legal measures."

¶8. (C) Andrea Berg told Poloff that when she returned in

mid-February from an extended trip to Europe, the electronic lock to one of her two office safes was inoperable, and she was forced to have the safe cut open to retrieve the sensitive data and documents stored inside. Less than a week later, she reported being unable to open the other safe, and said she believed both safe locks had been tampered with. She noted a feeling of foreboding, and told Poloff that through its audits, investigations, and the interrogation of Umida Niyazova, the Uzbek government had systematically collected enough material against Human Rights Watch to mount a "spectacular show trial." An Embassy contact with close ties to the Presidential Apparat confirmed Berg's suspicions and told Emboff that President Islam Karimov has personally targeted Human Rights Watch for expulsion. According to Post's contact, the Government of Uzbekistan believes Niyazova is spying for the United States (sic).

19. (C) Comment: As with so much that happens in Uzbekistan, Umida Niyazova's case is an enigma. As a human rights activist, well informed about the authorities' capacity to entrap their intended targets, it is unclear why Niyazova would have carried potentially incriminating documents in a computer through customs control at an airport. Having been detained once, and clearly being scared enough to apply for refugee status, why did she attempt to return to Uzbekistan? Niyazova is a pawn in Uzbekistan's war against Human Rights Watch; as such, she may yet escape imprisonment. However, the Uzbek government has clearly set its sights on Human Rights Watch and appears to be intent on expelling the organization.

PURNELL